

**THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

DIAMOND PLEASANTON ENTERPRISE,  
INC.,

Plaintiff,

v.

THE CITY OF PLEASANTON, DAVID  
SPILLER, JOHN KNOX, MICHAEL ELERICK,  
and DOES 1 through 25, inclusive,

Defendants.

Case No. C 12-00254 WHO

**ORDER: (1) SETTING BRIEFING  
SCHEDULE FOR CROSS-MOTIONS FOR  
SUMMARY JUDGMENT; AND (2) SETTING  
HEARING ON CROSS-MOTIONS FOR  
SUMMARY JUDGMENT**

Defendant City of Pleasanton and Plaintiff Diamond Pleasanton Enterprise, Inc. have stipulated to a modified briefing schedule to facilitate the hearing of their cross-motions for summary judgment on Plaintiff's Third Amended Complaint for Injunctive and Declaratory Relief and Damages. Pursuant to this stipulation, filed with the Court on November 12, 2013, the Court HEREBY ORDERS:

1. Plaintiff's motion for summary judgment and Defendant's motion for summary judgment shall be briefed as follows:

- a. Plaintiff's opening brief in support of its motion for summary judgment shall be limited to a maximum of 25 pages and filed, along with all accompanying papers, on or before November 22, 2013.

1 b. Defendant's opposition to Plaintiff's motion for summary judgment and  
2 Defendant's opening brief in support of its motion for summary judgment shall be filed  
3 as one combined brief limited to a maximum of 40 pages. This brief, and all  
4 accompanying papers, shall be filed on or before December 6, 2013.

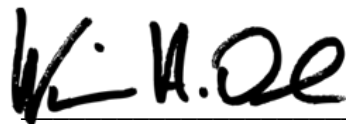
5 c. Plaintiff's opposition to Defendant's motion for summary judgment and  
6 Plaintiff's reply in support of its motion for summary judgment shall be filed as one  
7 combined brief limited to a maximum of 30 pages. This brief, and all accompanying  
8 papers, shall be filed on or before December 23, 2013.

9 d. Defendant's reply in support of its motion for summary judgment shall be limited  
10 to a maximum of 15 pages and filed, along with all accompanying papers, on or before  
11 January 3, 2014.

12 2. Both motions shall be heard at 2:00 p.m. on January 22, 2014, during the Court's regular  
13 civil law and motion calendar.

14 IT IS SO ORDERED.

15 Dated: November 13, 2013



16 WILLIAM H. ORRICK  
17 United States District Judge  
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